

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

| | | |
|---------------------------------|----------|---|
| UNITED STATES OF AMERICA | : | CRIMINAL NO. _____ |
| v. | : | DATE FILED: _____ |
| CARLOS FIGUEROA | : | VIOLATIONS: |
| a/k/a “Jose Cruz,” | | 21 U.S.C. § 841(a)(1), (b)(1)(C) |
| a/k/a “Carlos Rivera,” | : | (distribution of heroin - 1 count) |
| a/k/a “Carlo Figueroa,” | | 21 U.S.C. § 841(a)(1), (b)(1)(C) |
| | : | (distribution of cocaine - 1 count) |
| | | 18 U.S.C. §§ 922(g)(1) and 924(e) |
| | : | (felon in possession of a firearm - 1 count) |
| | | 18 U.S.C. § 924(c)(1) (carrying a firearm |
| | : | during a drug trafficking offense - 1 |
| | | count) |
| | : | Notice of forfeiture |

INDICTMENT

COUNT ONE

THE GRAND JURY CHARGES THAT:

On or about December 14, 2006, in Philadelphia, in the Eastern District of
Pennsylvania, defendant

**CARLOS FIGUEROA,
a/k/a “Jose Cruz,”
a/k/a Carlos Rivera,”
a/k/a “Carlo Figueroa,”**

knowingly and intentionally distributed a mixture and substance containing a detectable amount
of heroin, a Schedule I controlled substance.

In violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(C).

COUNT TWO

THE GRAND JURY FURTHER CHARGES THAT:

On or about December 14, 2006, in Philadelphia, in the Eastern District of
Pennsylvania, defendant

**CARLOS FIGUEROA,
a/k/a “Jose Cruz,”
a/k/a Carlos Rivera,”
a/k/a “Carlo Figueroa,”**

knowingly and intentionally distributed a mixture and substance containing a detectable amount
of cocaine, a Schedule II controlled substance.

In violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(C).

COURT THREE

THE GRAND JURY FURTHER CHARGES THAT:

On or about December 14, 2006, in Philadelphia, in the Eastern District of
Pennsylvania, defendant

**CARLOS FIGUEROA,
a/k/a “Jose Cruz,”
a/k/a Carlos Rivera,”
a/k/a “Carlo Figueroa,”**

knowingly possessed a firearm, that is a .32 caliber Cobra handgun, serial number CP016913,
loaded with 5 live rounds of ammunition, in furtherance of a drug trafficking crime for which he
may be prosecuted in a court of the United States, that is, distribution of a controlled substance in
violation of Title 21, United States Code, Section 841(a)(1).

In violation of Title 18, United States Code, Section 924(c)(1).

COUNT FOUR

THE GRAND JURY FURTHER CHARGES THAT:

_____ On or about December 14, 2006, in Philadelphia, in the Eastern District of Pennsylvania, defendant

**CARLOS FIGUEROA,
a/k/a “Jose Cruz,”
a/k/a Carlos Rivera,”
a/k/a “Carlo Figueroa,”**

having been convicted in a court of the Commonwealth of Pennsylvania of a crime punishable by imprisonment for a term exceeding one year, knowingly possessed in and affecting interstate commerce, a firearm, that is, a .32 caliber Cobra handgun, serial number CP016913, loaded with 5 live rounds of ammunition.

In violation of title 18, United States Code, Section 922(g)(1) and 924(e).

NOTICE OF FORFEITURE

THE GRAND JURY FURTHER CHARGES THAT:

1. The allegations of Counts One through Four are incorporated here.
2. As a result of the violations of Title 21, United States Code, Section 841(a)(1) in Counts One, Two and Four, and the firearm counts in Counts Three and Four of this indictment, defendant

**CARLOS FIGUEROA,
a/k/a “Jose Cruz,”
a/k/a Carlos Rivera,”
a/k/a “Carlo Figueroa,”**

shall forfeit to the United States of America all property which constitutes and/or is derived from any proceeds obtained directly or indirectly by him including, but not limited, to:

- a. Approximately \$716 dollars which was found near approximately 220 grams of marijuana that was seized from the defendant’s residence at 3012 North 3rd Street, Philadelphia, PA.
- b. A .32 caliber Cobra handgun, serial number CP016913 which was loaded with 5 live rounds of ammunition.
3. If any of the property described above as subject to forfeiture as a result of any act or omission of the defendant:
 - a. cannot be located upon the exercise of due diligence;
 - b. has been transferred or sold to, or deposited with, a third party;
 - c. has been placed beyond the jurisdiction of the court;
 - d. has been substantially diminished in value; or

e. has been commingled with other property which cannot be divided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of said defendant up to the value of the above forfeitable property.

All pursuant to Title 21, United States Code, Sections 853(a)(1), (2) and (p), 28 United States Code, Section 2461(c) and Title 18, United States Code Section 924(d).

A TRUE BILL:

FOREPERSON

PATRICK L. MEEHAN
UNITED STATES ATTORNEY